

# **SPECIALIZED INTERESTS CHALLENGE CALIFORNIA FISHER ACT 1961-1965**

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## *Editor's Introduction:*

*The Fisher Act of 1961 painted the canvas of credential structure in broad strokes. It delegated to the State Board of Education the task of refining these concepts by defining its key terms—like “academic” and “non-academic”—and shaping its regulations. The task met with the ambitions of several activists Board members, who seized the opportunity to work outside the reach of the “educationists.” In doing so, however, they came up against the strong political forces of the press, the professional organizations with specialized interests, and college teacher education faculty. Inglis’s account is supported by interviews with key players shortly after these events.*

The Licensing and Certificated Personnel Act of 1961, the Fisher Act, established a new credential system for California, but its major elements were not sufficiently detailed for any meaningful implementation. The spotlight therefore shifted from the legislative meeting rooms to the State Board of Education. For it was the State Board’s charge to develop and officially adopt detailed specific rules that would be the basis for understanding and implementation this new credential structure.

The Board had been formally deliberating the matter of credential revision since early 1960, even before the law was signed by Governor “Pat” Brown, and, apparently, informally long before that. Margaret Bates, a key Board participant at the time, described the situation: “Some of [us] had been trying to do something to force change. We had some ideas for change in the recommendations of the California Council [for the Education of Teachers, CCET] presented in February, 1960. I had become interested

personally when I first came to California in 1950 and noticed the difference between California's credential structure and those of my home state. With an academic major and an MA, I could have taught in my state, but not in California. Good people were turned away while poor people with credentials were teaching (Bates interview, 1967)."

During the legislative struggle over the Fisher Act, the Board was informed of the bill's progress; indeed, Tom Braden, President of the Board, appeared once during a legislative hearing and testified in favor of it. In short, the Board and Hugo Fisher kept in close touch during this period, and there appears no evidence they held major disagreements over its content.

### **Initial Regulations to Implement the Fisher Act**

Paradoxically, despite Fisher's patent distrust of professional educators, the Board, upon passage of the new credential law, first turned to the profession to develop a plan for regulations with which to implement the law. In April, 1961, prior to the passage of the Fisher Act, Father Darrel J. Finnegan, President of the California Council on Teacher Education (CCTE), and State Superintendent Roy Simpson appointed a ten-member Central Coordinating Committee on Credential Revision. Its purpose, as well as that of its Resource Subcommittees, was to design a procedure for developing credential requirements and to propose new requirements. Upon completion, these recommendations would be sent to the State Board for review and adoption. The Board appointed one of its members to serve on the ten-member steering committee. Carl Larson, of the Department's Bureau of Credentials, reported periodically on the Committee's work.

At its January, 1962 meeting, the Board noticed that the Coordinating Committee and its Resource Subcommittees were composed predominantly of persons with "education" degrees. William Norris, an exceedingly alert Board member and a Los Angeles attorney who had kept a close and searching eye on the entire legislative process, moved the

appointment of ten additional members to the Resource Subcommittees. In speaking for his motion, Norris argued: "The President [of the Board] should bear in mind that of the seventy members [of the committees] only six of the present members are professors and subject matter specialists in various colleges and universities, and merely three are classroom teachers in the public schools" (Board minutes, January 11, 1961). Ten new members were appointed but had little time to influence the direction of the original Subcommittees' efforts. Nonetheless, Norris emerged as one of the strongest of the core group of activists in the Board's drive to reduce "methods" courses and to beef up the academic preparation of educators.

As the Coordinating Committee worked on draft regulations, various other quarters noted the apparent drift away from the strong academic intent of the Fisher Act. On January 6, 1962, Gubernatorial aide Alan Muscov composed a letter to Braden stating the Governor's objection to the Committee's proposal that the junior college credential require ten hours of professional education. Muscov expressed his deep concern that a close adherence to subject matter preparation for teachers be observed in the forthcoming credential regulations. At the Board's March 7, 1962 meeting, Norris reported receiving substantial mail from the Long Beach area, alarmed that defining the distinction between "academic" and "nonacademic" subject areas would have the effect of reducing the quality of teaching in nonacademic subject areas. On March 29, 1962, Clyde Enroth, Past President of the English Council of the California State Colleges, alerted Senator Fisher "to the danger that the intent of the Fisher Act for teaching credentials may be disregarded by the committees drafting the requirements for the new credentials" (Hendrick 1964, 207). Soon afterward, the American Federation of Teachers, Local 1362, recommended turning aside the education-dominated Central Coordinating Committee and replacing it with a committee more widely representative of the academic departments of the colleges, as the only way to fulfill the intent of the Fisher Act.

Although the Department and the Coordinating Committee were essentially parts of the educational establishment and, as such, had never been considered by some to be at the forefront of the drive to achieve significant, that is academic, reform, the Board continued

to await their recommendations for the content of the new and complex rules. Finally, on June 14, 1962, Superintendent Simpson presented the Coordinating Committee's report to the Board. It was a massive report, containing a history of events associated with credential revision since December, 1954; a brief analysis of the Citizens Advisory Commission's recommendations compared with the State Department's; and its own extensive and specific recommendations. But the Board had still not come to grips with the difficult issue of the completely new credential structure or shifted gears into the decision-making processes for formal implementation of the Fisher Act.

Shortly before the Board's September, 1962 meeting, Leo Rennert's extensive analysis of the proposed regulations appeared in the *Sacramento Bee*.

The state board of education will hold public hearings September 13 and 14, in Los Angeles on the most revolutionary package of educational reforms since Sputnik—an entirely new set of state requirements for teaching and administration credentials...

Because the proposed rules use a limited definition of what is academic, officials expect a swarm of protests at the hearings from excluded curriculum groups...

"But their beef is really not with us," remarked Larson. "It's with the Legislature. We're taking a limited view of what is academic because that's what the legislature intended" (Sacramento Bee, September 5, 1962).

Again, at the September, 1962 Board meeting, as the assembled Board listened, Simpson reviewed the long-term efforts that had been made by the professional educators to revise the credential structure. He gave the Board a brief chronology of events, starting in 1954. He reminded the Board that it had approved in February, 1960 the credential patterns that evolved from the statewide study sponsored by CCET. This pattern, Simpson pointed out, framed the credential structure adopted in Fisher's legislation. His lengthy presentation continued with descriptions of the makeup, structure, and operation of the Central Coordinating Committee and its Resource Subcommittees. He then launched into

the heart of the matter at hand—the specific recommendations for each of the proposed credentials, including academic definitions and criteria, which he asked to be “general, so as to pose no threat to college or university initiative.”

The real issue which faces the Board is to establish a balance between the various requirements in terms of preparation which will produce the most capable teachers...We felt it essential to develop proposals that (1) represented the best thinking of the teaching profession in California, and (2) implemented the law both in its intent and as it is written (Board minutes, September 13, 1962).

Upon completion of Simpson’s extensive introduction, Braden set the Board criteria for the succeeding portions of the meeting—hearing from members of the public and the profession regarding the proposed regulations: The regulations under discussion have been adopted after a great deal of work and consideration. There isn’t much point in addressing remarks on something that has already been accomplished.

The law as it is written spells out the duties of the Board, as follows:

1. The Board is charged with considering and finding a subject matter major to be academic.
2. The Board is charged with the job of defining the terms “major” and “minor.”
3. The Board is asked to establish and approve a diversified major consisting of a subject matter major and a subject matter minor.
4. The Board is charged with the job of prescribing additional requirements to the law for the standard teaching credential and other credentials.
5. The law finally says such additional requirements are to be promulgated by July 1, 1963.

The Board cannot change the law (Board minutes, September 13, 1962). In all, some 22 statements were either heard or filed during that first day of the September meeting. The core question on which the intense disagreement centered was a familiar one to those

who had followed the struggle: what should be the proper preparation of teachers with regard to subject matter versus professional methodology? Two perspectives illustrate the diversity of opinion on this issue. On the one hand, Maurice Englander, President of the California Federation of Teachers (CFT), used caustic language to summarize the entire argument against the “education pros” and the splintered “professional groups” attending the meeting: It is no secret among teachers that Schools of Education are widely regarded as a joke, a grim joke, I might add, but a joke nonetheless, because of their pretensions, their pious worship of the ephemeral method, particularly one known as the “group dynamic,” and the formula phrase that justifies it all—“Meeting the Needs of the Learner...”

The fact is that Schools of Education have not attained intellectual respectability and have earned the amused contempt of the academic departments of colleges and universities, as well as the disdain of students who move over from subject matter fields to become teachers (Board minutes, September 13, 1962).

On the other side of the thorny philosophical fence, a letter from the California State Dental Hygienists’ Association pleaded with the Board that they not be forgotten, giving an example of the provincial quality of many of the pleas made to the Board at this time: We are in favor of whatever upgrades our profession of dental hygiene, but in this matter we feel that the existing graduation and licensing requirements of the State already qualify us for dental health education positions in the public schools of California, and that by increasing the requirements for a teaching credential we will perhaps be decreasing the number of dental hygienists in this field, thus depriving the public of a member of the important dental health team... Therefore, we wish to record our opposition to this law (Board minutes, 13 September 1963).

### **Influences upon the Board's Own Regulations**

On the morning of the second day of that September meeting, Fisher himself appeared before the Board to describe the full intent of his legislation. He made clear why he was there: he wanted the Board to discern quickly and unequivocally the central intent and

main force of his bill, and he wanted the Board to resist any attempts to blunt its cutting edge. He stated that he could not over-emphasize the fact that the major premise of the author of the bill, as well as the Legislature, was the increased and improved preparation of teachers in the subjects that are taught in California public schools and the assignment of teachers to teach the subjects they are best prepared to teach. He pointed out that the Legislature had rejected every proposal that had the effect of interfering with the academic world in attempting to determine what the content of preparation in a major field—such as history—should be. He said that the main thrust of his bill was to eliminate education courses from the baccalaureate degree. That persons would be educated in subject matter first and consequently be prepared to teach that subject matter. Then, in a highly significant moment, he stated that he thought the advice that the Board needed should come from those who were philosophically in agreement with the spirit of the legislation which had been introduced at the Board's own behest. He suggested that the Board appoint an advisory committee to it, not to the State Department, to review the proposed regulations because the Board was given the right to continue in detail the work that the legislature had begun in general.

There was no mistaking Fisher's dislike of the regulations proposed by the Coordinating Committee through the State Superintendent; he urged the Board to seek its own counsel and not trust that of its own staff or other representatives of the "establishment." Quite obviously, he felt that the central thrust of his hard-won bill was being cut out of the proposed regulations. Later, Fisher had his own private version of this incident: The first regulations were drawn up by Manfred Schrupp [Dean of the School of Education at San Diego State College], who had disgraced himself by yelling and screaming at some of the hearings. They had proposed regulations drawn up and kept under cover until the day before the Board meeting, figuring that I wouldn't be around to hear them because of the hot campaign [for election in November, 1962] I was in. Instead, by the back door, I got a copy of them the night before, flew to Sacramento, and opposed them. It's the first time I've ever seen Roy Simpson lose his temper (Fisher interview, 1966).

Following Fisher's appearance, testimonies occupied the remainder of the day, September 14, 1962. The Board heard 24 others and received 23 communications, representing as wide a diversity of organizations and specific interests as had testified prior to the Senator's appearance.

But the Board heard Fisher's recommendation. Upon reconvening the next morning, it voted to set up its own committee to "revise, and correct, in terms of the thoughts and expressions made by the public and members of the Board, the proposed regulations—to be resubmitted for consideration by the Board" (Board minutes, September 13, 1962). In that fast action, the Board had made a highly significant decision: It had wrested the policy initiative from the professional educators. It had "thrown out"—technically, the action was termed "taking under advisement"—the profession's proposed extensive rules for the new credential structure and set up its own committee to write regulations which would be in line with Fisher's<sup>1</sup> suggestions. The committee, appointed by Braden, consisted of himself, Commons, Daba, Norris, and Bates. Five members of the State Department staff were asked to join the discussions but were not given a vote on decisions.

Why had the Board summarily rejected the hard work and presumably sincere efforts of a high-level professional group? Individuals who were not on the Board at the time or privy to its most confidential thinking offered varying opinions. The newly-elected State Superintendent, Max Rafferty, who replaced Simpson in November 1962, viewed it this way: "It was because they did not in any way trust professional educators. I don't know why they let the State Department work for six months and then throw their work out." (Rafferty interview 1965) Hugh MacColl, a former CFT lobbyist, who been in the thick of the legislative fight over the Fisher bill, offered another perspective: "The State Department's original proposals were too "all-inclusive" and did not emphasize the "academic" enough... Our organization opposed strongly the original regulations of the

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Historically, the Board had not functioned with its own committees. Rather, most—if not all—research activities were performed by the State Department, and such information brought to the Board for its review and decision. The formation of this committee was a sharp and meaningful departure from the Board's traditional mode of operation.



State Department but came to moderately support the final form.” (MacColl interview, 1966) A former legislative staff member, Michael Manley, who purportedly aided Fisher in drafting his bill, offered this conjecture: “The regulations proposed to the Board, and written by Carl Larson, were rejected by the Board when Fisher appeared to oppose them. Possibly the Board would have approved them if Fisher had supported them even though it would not have been their predilection. The Fisher Act was what the Board wanted” (Manley interview 1966).

In contrast to “outsider” views, all five Board members who made up this historic and significant committee provided enlightening if not totally congruent explanations. Dorman Commons, one of the less active members of the committee of five, described its rejection of the professionals’ recommendations: “because there was a failure to emphasize subject matter. There were still too many education courses” (Commons interview 1967). Margaret Bates, one of the prime movers on the Board committee, held this view: “We didn’t think they went far enough. When Carl Larson and the State Department brought in another version, somewhat different from the State Council’s, it gave us the chance to postpone, and ‘to take under advisement’ both proposals. It gave us a chance to come up with what was needed” (Bates interview 1967). A third member, Daba, was not explicit about the rejection of the Coordinating Committee’s proposals, but he agreed that the establishment of the Board’s committee was done at the “spur of the moment.” Braden, the highly articulate Board President, held pointed and straightforward perceptions: Actually, the changes recommended by the professionals, which Simpson had announced at one Board meeting with a flourish, didn’t amount to much. All they did was to add a fifth year and simplify the credentials. They weren’t what Hugo had originally in his mind. Hugo started out with a tough bill, and it got changed many times so as to weaken it greatly. So Fisher made it so that the Board could put in the kind of regulations that were needed, where he couldn’t get it done in the Legislature. We sat down and followed the original idea of the bill before it was weakened (Braden interview 1966).

But probably the most revealing and colorful version is that of the last of the five committee members, William Norris:

It happened at the two-day right here in Los Angeles. Simpson brought in the profession's ninety-three page proposal. I've thought it out. I think they had it figured that they would bring this massive document to us and we—as lay people—would have no alternative but to accept it as presented. It was so complex and detailed, and we were under the gun for time, so we would have to adopt them. Alan Muscov got hold of me on the first day of the meeting during a break and said “You've got to get to them. I don't know how you're going to do it, but you've got to try.” I didn't know either what I was going to do. That night, right here in Los Angeles, I was desperate. I tried getting in contact with some of the members. I got hold of Nat Colley [a Board member from Sacramento] and he was agreeable—and Peggy Bates. I don't remember who else—maybe Tom Braden. The next day we took under advisement Simpson's regulations and set up our own committee. This was the turning point and I believe that this was the greatest contribution that I made during my term. If I hadn't taken time to delve into Simpson's regulations and compare them with the *original* Fisher bill, before the amendments, I wouldn't have known what they were trying to do. The way I see it, Simpson got a jump on the Board by setting up his own committee which was stacked with the very same people who had originally opposed the Fisher Bill—they were going to achieve by regulations what they couldn't do by legislation (Norris interview 1967).

Whatever the factors were that influenced the crucial decision, Braden was a great deal in the limelight because of his pronouncements and interpretations of the Board's activities. He made colorful headlines when he strongly attacked the quality of public education, stating that he was transferring one of his children to a private school because “his son wasn't working in public schools.” He concluded that “the ‘easiness’ of our public

school system is a fact that we in California who are trying to build the best system in the world can no longer afford to ignore” (*San Francisco Chronicle*, September 26, 1962). During the Board committee’s labor in developing its own regulations, he made clear his own reaction to the profession’s work: “Simpson’s proposals again emphasized teaching methods. They amounted to tossing out the [Fisher] bill. The Board was astonished.” Later Braden described the Board’s growing independence from the Department: “During the past four years I’ve seen this board change, with the cooperation of the present superintendent, from the role of a captive spectator of the department of education to the role of leadership and policy maker for the department. This is a tough board, tough in its insistence on high standards” (*Sacramento Bee*, 15 March 1962).

### **Notions of Proper Teacher Preparation**

Accordingly, the Board’s Credential Committee sat down to write its own regulations to implement the Fisher Act. Assuredly, the Board had appointed several representatives of the State Department to aid it, but it was clear that Board members, particularly Braden and Norris, meant to maintain control over the content of the regulations to be devised. Bates, quite naturally a member of the Board committee and a long-term vigorous figure in the credential issue, described the educational principles underlying the Board’s proposed regulations for teacher preparation:

As a member of the State Board of Education, my support of the changes in teacher credential requirements has rested on several premises. These are:

1. That teaching and learning are compound arts which can and must be cultivated if we are to have first-rate schools.
2. That the primary goals of education are to transmit the cultural heritage, foster intelligent behavior, and provide sufficient competence in the basic skills to give individuals the freedom to continue learning throughout our lives.

3. That the cultural heritage can be transmitted only by people who have been exposed to it in depth and breadth, who understand the major academic disciplines well enough to apply them as tools for refining their own experiences into usable knowledge. The major, formerly the standard for elementary school teachers, which consisted of superficial sequences of introductory courses, is not sufficient for this purpose.
4. That the capacity for intelligent behavior is not confined to a chosen few, but it is a possibility for every human being. So many people find their life work outside the professional sphere that it is important to accord recognition of the basic knowledge underlying all vocational preparation...
5. That, as Lionel Elvin holds, the school is the only public agency for the systematic development of the minds of the young and of their operational intelligence; that is, and must remain, its distinct function.
6. That, therefore, it is incumbent upon the State Board, as its president, Thomas Braden, has said, to emphasize the giving to *all* men some measure of the spirit, and contact with the great minds and treasures of civilization (Bates 1965, 11-12).

Norris, throughout the period an extremely vigorous and articulate member of the Board committee and also a long-term protagonist in the drive to reform credentials, captured the philosophy which guided him, Braden, and Bates. In a CCET address, he stated: "We need teachers and administrators with well-trained minds; and minds are best trained by in-depth study in a narrow, traditional discipline. A properly trained mind could then set itself to any task and perform it successfully" (Cannon 1964, 9).

But with all, Braden remained the most vociferous Board member, as far as the public ear was concerned. In a forcible address to an audience composed primarily of teachers and

administrators, he continued his interpretation of the Fisher Act: “In general, the new law was designed to assure two things: First, that teachers know more about what they are teaching as well as how to teach it; second, that they are assigned teach subjects in which they are prepared” (*Sacramento Bee*, February 17, 1963).

Against this enthusiasm for higher standards, some members of the profession raised a dire and highly relevant prediction: if the requirements for teaching credentials were further stiffened and if the amount of required college work increased by the Board, a distinct shortage of teachers would eventually occur. Throughout the Fisher legislation, Senator Albert Rodda had argued this very point. He felt that elementary teachers would become especially scarce. In fact, actual statistics from teacher preparation institutions showed a striking decline in teacher candidates during the period, but these data were argued away by Board members and like-minded legislators and others, intent on upholding the central thrust of the Fisher Act.

Braden and Norris unequivocally denied the possibility that this misfortune would occur, despite evidence to the contrary. They held the optimistic prediction that, instead, teacher supply would increase from their efforts. Rather than reducing the number of persons wanting to enter teaching, the new regulations, because they gave “unprecedented” stress to subject matter proficiency, would give California a wider choice of high caliber teacher applicants. Norris reasoned that graduates of Harvard, the California Institute of Technology, and “other distinguished institutions” would be more attracted to teaching because the number of professional education courses would be reduced. For the same reason, he predicted, more well-educated women with degrees in academic subjects would turn to teaching after their children were grown. In March, 1963, both Braden and Norris issued statements showing their belief regarding the matter. Norris said: “Our committee concerned itself at great length with the supply problem, including candidates from out of state. We're satisfied there will be no great problem.” Braden supported this view wholeheartedly. He predicted, further, that out-of-state colleges would pay considerable attention to California's new standards because, for a long time, it had been a national leader in how to teach. “Now it is about time to assume leadership in the

subject matter competence of teachers.” He amplified this theme in these words: “This marks the beginning of the end for high emphasis on how to teach, and the beginning of emphasis on subject matter. I think we have some regulations of which we can be extremely proud. We hope to approve them unless someone can point out some great oversight” (*Sacramento Bee*, March 15, 1963).

Within six months, the Board Committee’s work was complete. At the April, 1963 Board meeting, the business quickly moved to its all-important proposed regulations. As Chair of the Board’s committee, Braden presented its work. His preface cut sharply to the heart of the matter, leaving little doubt of the thinking of the committee:

The point of view of the committee, we believe, is clearly expressed in the report. We have endeavored to implement the 1961 Certification Law in the spirit in which it was enacted. The regulations proposed place emphasis upon subject matter in the dimensions of both breadth and depth. We believe that this emphasis, coupled with the statutory regulations permitting assignments only in subject matter areas in which teachers have been specifically prepared, is at the heart of moving California's public schools toward increased excellence (Proposed Regulations 1963).

The committee had undoubtedly worked hard; it had held eleven meetings during the period October, 1962, through April, 1963; and had developed a 57-page statement of highly specific regulations. Part of the intent and deliberate control displayed by the committee is evident in the explicit nature of the definitions of certain key terms which under girded the content of the regulations: for example, “Social Sciences means anthropology, economics, geography, history, political science, psychology, sociology, and such additional areas of study as the Board may hereafter include, other than education...” and “subject matter area means a subject or subjects normally taught in the public schools, other than education...” The effect, or at least the intent, was a body blow aimed directly at the “educationists”—presumably school administrators, college education departments, and the CCET.

Then Braden, in a dramatic and strategic move, read aloud a telegram that he had just received from Fisher—by then the Administrator of California’s Resources Agency, having been defeated for reelection in November 1962—which commended the work of the Board’s committee and strongly urged the adoption *en toto* of the proposed new rules: “I have carefully reviewed the proposed regulations and find them entirely consonant with both the letter and spirit of the law.” Further, Fisher acknowledged that the Board’s work had been accomplished under pressure to “water down the law on the one hand and to make the law more restrictive on the other” (Board minutes, April 1963).

Despite this impressive opening gambit by Braden, the “pressures” to which Fisher had presumably referred rolled up their artillery to bombard the Board with words. The first shot of this barrage was that of CCET, the overseer to the profession’s more or less united efforts to revise credentials. Dr. Glenn Kendall, speaking for the CCET, after a few obligatory words of commendation for the Board’s work, moved quickly to the faults of the proposals. His were the same arguments as were heard against the Fisher Bill when it was being considered by the Legislature. Principally, they boiled down to grave concerns with four issues: (1) the requirement of 45 units of General Education, considering the number to be so high as to be restrictive on the student and the college; (2) the need for a “diversified major” for elementary teaching renders the Fisher Act’s academic major impractical; (3) the specificity of the regulations seriously limit the creativity and flexibility of the colleges to provide realistic programs; and (4) the lack of content regarding professional preparation.

Immediately following the CCET and certainly contradictory to the most salient parts of Kendall’s testimony and too much of the debate during the Fisher legislation, Dr. Arthur Corey, the CTA leader, surprised many when he stated:

The California Teachers Association and the State Board of Education have this common objective: in all California schools we would have teachers with broad, general education—a truly liberal education—

including depth in one or more areas of subject matter, and specific preparation for teaching... In studying these proposed regulations...we find this objective clearly recognizable. The procedures set forth to attain these standards, with some exceptions to be noted later, are in large part acceptable to the profession (Board minutes, April 1963).

It is, of course, that last sentence which is startling, for Corey's words; for, the partisan political drive by Brown and Fisher in 1961 had been to "beat the CTA" while achieving significant teacher preparation reform, those results seemed, at least at this moment, to be supported by the CTA.

Two other prominent groups—representing widely divergent points of view—appeared before the Board to present their positions. The Committee for Improving Teacher Education (CITE) issued a brief statement from its base at the University of California, Santa Barbara, reflecting its philosophy, and suggesting several small but detailed changes.

But it was the teachers of speech throughout the State who had felt most wounded by having been overlooked as an "academic" subject—or so it would seem by the size of the delegation and the vigor and quantity of their presentation. Shrewdly realizing that it would be more advantageous to link their position with the clear intent of the Board rather than attempting to oppose the thrust of the Board's thinking, the representatives of this group, one after another, developed the argument that speech is an academic subject and, furthermore, is an extremely necessary part of an educated person's background. Citing instances from the history of American schools in which rhetoric, debate, oral interpretation of literature, and other facets of speech instruction were an integral part of an educated seventeenth and eighteenth century person's overall background, these speakers argued eloquently that speech should be recognized as a distinct academic subject and, therefore, should qualify fully for inclusion within the teaching credential structure. Five other witnesses made statements citing the traditional place of rhetoric and like subjects as being genuinely academic. However, probably the most telling



statement in favor of the speech was made when Board member Bishop Kennedy declared that “I can not see how one can say that speech and speech areas are non-academic until they are proved to be. The burden of proof is on the other foot... The presentations made in behalf of speech are completely convincing.” Kennedy was not known for making statements in the area of teaching competency and teaching credentials; but when he ended his comments by noting, “Of course, I am easily convinced, because I majored in speech” (Board minutes, April, 1963). It quickly became evident that speech would qualify as an academic subject for a teaching credential.

Following these long and carefully-prepared arguments, a host of special interests moved to the podium, requesting specific changes relating exclusively to the welfare of members of the specific organization being heard or, in several isolated instances, supporting the Board’s work *en toto*. They presented a bewildering clamor of quite narrow points of view. All groups had followed with intense interest the Board’s crafting of the new regulations and seized the opportunity to dissect with microscopic vision and missionary zeal that portion of the proposals which in any way affected their own status. Each spokesperson commended the Board for the job that had been done and then quickly launched into objections to specific items—making suggestions for minor and technical alterations which would favor them. All sought to avoid the status of “second class” teachers by arguing vigorously to be included with the regular credential structure, or to so revise the proposals so that they that they would be included under the broad canopy of first-class citizenship. Each sought to clarify their role—an indispensable one—in the education of the children of California.

When the Board reconvened in May, 1963, Braden reported the Board's Credential Committee had held two public hearings and three meetings since the previous month's meeting, resulting in 24 changes in the proposed regulations, mostly of a technical nature. Notably, the only substantive change was to prescribe “speech” as an academic subject major. After brief consideration of a minority report submitted by Bates, the profound matter was settled anti-climatically when the regulations were adopted, by unanimous vote, to become effective in six months, on January 1, 1964.

Happily for the crusaders seeking major reform of the rules and structure of teacher preparation and credentialing, the Board kept faith with the intent of the Fisher Act. The new rules provided for a reduction in required course work in education for teachers at all levels, requirements of academic majors for all regular classroom teachers, and graduate work in academic subjects for administrators—all reflected an adherence to the spirit of the legislation.

The *Los Angeles Times* immediately indicated its happiness with these regulations by reporting it in a page one lengthy article: “Credential reform, adopted under 1961 legislation, was described by Thomas Braden, board president and chairman of the subcommittee which framed the new formula, as ‘the greatest single advance California has ever made toward quality education’” (*Los Angeles Times*, May 25, 1963). The *Sacramento Bee* also made no bones about its joy, trumpeting in unusually large headlines, “Teacher Credential Setup Is Changed,” followed by, in part, this analysis:

California’s biggest educational reform program since Sputnik—a sweeping change in teacher training requirements—was approved today by the state board of education. Shrugging off strenuous objections from many professional quarters, the board adopted a 57-page set of new credential rules designed to give future teachers more subject matter proficiency and fewer methods courses (*Sacramento Bee*, May 24, 1963).

Then an uneasy calm settled over scene, with merely an occasional crack of verbal thunder reverberating in the distance as if from a receding storm. These occasional loud noises came from those segments of the profession who envisioned an alarming shortage of teachers that would result—Braden’s optimistic prediction to the contrary—from the more rigorous rules. And, significantly, it became this very strategy that shortly began to dominate the attack upon Fisher’s and the Board’s provisions.

## **The Unraveling Period**

The ink on the new credential structure was hardly dry when the Board's attention was directed to some deceptively minor decisions regarding slight modifications of the regulations in certain categories. One of these adjustments related to provisions for districts who wished to hire individuals who could not fully meet the new requirements by July 1, 1964. Anticipating the need for a transitional plan, Larson prepared a memorandum, dated October 3, 1963, for the Board's Committee on Credentials and Accreditation. Briefly outlining a recent history of provisional credentials—1955 to 1963—he set forth recommendations for specific and technical procedures for granting provisional credentials “on condition of partial fulfillment of requirements.” He also informed the Board committee that he had requested district and county superintendents to submit their projections of need or lack of need for provisional certification. The results of this survey were appended to the memo. This type of survey and the information it derived was, significantly, the first of a rush of many larger studies designed to assess the teacher supply situation soon to follow—conducted by the Legislature (1965-1966), the CTA (1965), the State Board itself (1967), and others.

Larson's document was a cool, objective and brief slice of information for the Board and suggested its purpose in these opening words: “These recommendations would appear to offer the transitional means necessary for at least the remainder of the 1963-64 year and are based upon the stated needs for provisional credentials of school districts and county school districts” (Larson memorandum, October 3, 1963). With these words, Larson introduced the first flicker of a flame that was soon to grow and to require increased attention. The specter of teacher shortages was an unnoticed harbinger for the erosion process that had begun.

A number of distinct forces had begun to assault the resolute will of the State Board. These new regulations quite naturally raised the ire of college teacher education departments, who found it difficult to adjust in a short period and to continual change. In the September 1964 issue of the *CTA Journal*, Robert Smith, Dean of the School of

Education at San Francisco State College, addressed these difficulties in a lengthy, no punches-pulled article.<sup>2</sup> Smith described the intense confusion which had arisen over implementation of the Fisher Act and the impact of this turmoil on defining course patterns for undergraduate students and, simultaneously, retaining sufficient college faculty members to carry out programs of instruction. One problem posed by the 1963 regulations was the short transition period:

During the past three years the transition from the old California credential requirements to the new regulations effective last January 1 has been poorly managed. Implementation of the new law has ignored the massive problems posed for the colleges...

A token 60 days—November 1, 1963 to January 1, 1964—gave the colleges only one semester during which to prepare for students entering the new programs last February.

College-wide teacher education committees or curriculum committees of most colleges had been at work on the problems of implementation since the bill was passed in 1961. However, failure of the State Board . . . to issue its regulations until last May made such coordinated action a kind of “blind man’s bluff” (Smith, 1964, 6-7).

Smith was also bitter because the college departments of education were not consulted when the Trustees of the California Colleges issued a statement in February 1964, interpreting the Board’s new regulations in terms of exceedingly limited education course requirements:

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Some considerable space has been allocated to Robert Smith's views because of the significance of their timing and content; he was a key member of the a professional education faculty, one of the special interests apparently under attack by Fisher and the Board; his perceptions were articulately presented at a highly relevant time -- very soon after the Board regulations went into effect; and he summarized a view of the forces at work that may or may not have been valid, but which are worthy of note.

The [February 26 policy] statement was assertedly designed to “insure uniformity of application” and to “adhere to the requirements and enforce the spirit of the legislation.” In effect it translated the minima included in the May 1963, State Board regulations into maxima in general education, including student teaching. This sentence provided the key: “Units required in programs of teacher education should be at or reasonably near the minima established by the State Board of Education” (quoted in Smith, 1964, 6-7).

His anger was directed at a coalition of the Chancellor, the State College Trustees, and “selected members” of the State Board directly—and at odds with the Fisher Act—who sliced off a sizable hunk of professional education courses. Smith analyzed the probable results of such actions:

Professional sequences will be so severely curtailed that little hope exists for providing either the necessary pre-student teaching exploratory field experience or an adequate range and depth of student teaching. New teachers will also be spared the pain of realizing that breakthroughs in the methodology of teaching math, language arts, social studies, and other subjects have occurred since they were in elementary and secondary schools.

Then he set forth his view of the ultimate outcome:

One dean of education says, " . . .they have crippled the fine work (in other fields) done in cooperation with the division of education, thus, in my estimation, they have reduced the quality of teacher education in California.” The rhetoric which has flooded the state about the upgrading of teacher preparation under the new licensing law thus is revealed for what it has been from the beginning, a mask for massive attack on the

professionalization of teaching—smugly clothed in words like “standards” and “rigor” and subject matter “depth” (Smith, 1964, 6-7).

Smith perceived the political dynamics on the issue as forces in armed contest:

We are in race between those armed with political power who would capture education with well-honed clichés and those who would have built careers assessing its complexities and its promise for an open society. The architects of the new certification law are key members of the State Board of Education and the State College Trustees, a formidable double play combination.

Finally, his bold prediction was uncannily prophetic:

I predict that during the next two years the state must face a certification shambles. Despite the best of efforts of the colleges . . . to accept the new regulations and to make whatever gains seem possible within the framework of the law, the political pressures impinging upon the present certification system will distort all useful purposes (Smith, 1964, 40; 42).

If the education departments of the teacher training institutions were glowering because of the new regulations, others were not. In direct contrast to Smith’s strong views, the *Sacramento Bee* also analyzed the arena into which the action had moved:

The state board of education this year approved new credential regulations emphasizing academic preparation and reducing course units in education.

Yet many teacher training institutions, including several state colleges, still have not reconciled themselves to this change.

Reports are reaching the board with increasing frequency that attempts are under way to circumvent the spirit of the new credential program with all kinds of ingenious bureaucratic devices.

These apparently include the concept that the board's prescribed number of education units is to be considered only as a minimum level, with colleges free to increase this number substantially at their own discretion (*Sacramento Bee*, December 2, 1963).

The *Bee* went on to "expose" an ingenious strategy of the educationists: "There also are indications that courses previously offered in the "education" category may be retitled as subject matter courses to keep them alive within the bounds of the board's new regulations." Fisher himself, in an interview with the *Bee's* indefatigable education writer, analyzed the forces at work against his legislation:

Some "enormously embittered people" in teacher training institutions still have not reconciled themselves to his bill, which places greater emphasis on subject matter and less on methods courses in the preparation of teachers.

"After you have a major reform," he observed, "the bureaucracy always tends to pull things back to where they were" (Rennert, January 16, 1965).

Several times in 1963-1965, CTA stood as the Board's ally in its intent not to weaken the hard-won gains. On 15 November 1963, Ted Kostyshak, the CTA representative, stated:

The California Teachers Association recommends adoption by the State Board of the resolution terminating further issuance of the provisional credential. We are not moved by the arguments of those who fear the consequences of change and [who] predict an alarming shortage of

teachers. Tougher standards are almost always accompanied by short periods of difficulty and adjustment (Kostyshak testimony).

In January, 1965, Corey bolstered the Board's barricades, urging it to hold the line, saying, in part, "the California Teachers Association is at this moment ending its appearance of assent through silence. We shall stand before you to fight for higher rather than lower standards. (*Sacramento Bee*, 13 January 1965) Interestingly, the Board chair, indicating the rigors of decision-making, and simultaneously a softer position than several years previously, told Corey that the problem is "not as easy as it seems." What should the Board do, Braden asked, when the State Department again insists that some exceptions must be permitted if the Board does not want to be saddled with the responsibility of finding classrooms without teachers at the start of the school year? Corey's answer was forthright: "If necessary, let it happen for a few weeks. At least you'll be acting then to meet a real crisis instead of just on the basis of what may happen" (Rennert, January 13, 1965).

Corey's views were well received by the Board. Commons remarked that the Board had been "in a lonely position" defending high standards until the CTA decided to join the battle. "The Board has felt like an island until now. It seemed nobody else cared whether credential standards should remain high. Most of the pressure has been to reduce them." Braden, seldom silent about his views, agreed with Corey that the Fisher Act had been undermined with a host of exceptions. "It saddens me to see how a great idea can be chipped away in four or five years by lots of 'beavers,' gnawing at the foundation" (Rennert, January 13, 1965).

Conceivably one of the "beavers" was Paul Lawrence, Associate State Superintendent of Public Instruction. Reporting to the Board at this same January, 1965 meeting, Lawrence admitted that earlier Department forecasts of an upcoming teacher shortage were "conservative." He stated that the expected supply gap would now be widened by a new state law—authored by Assembly Speaker Jesse Unruh, which established state funding for school district reading programs and a certificate for teachers in such programs—and



by new federal programs in poverty areas—President Lyndon Johnson’s “War on Poverty”—which would create a heavy demand for new teachers. Despite Lawrence’s pessimistic words, the Board decided to “hang tough.” It rejected Lawrence’s suggestions to ease credential requirements and instead called for fewer loopholes in credential standards, starting the next year (*Sacramento Bee*, January 13, 1965).

This educational upheaval and “conservative revolution” in California created intense interest throughout the nation, particularly among, but not limited to, educational professionals. Articles appeared in national magazines, both of professional and mass circulation. A lead editorial in the *Phi Delta Kappan*, the house organ of the national professional education fraternity, analyzed in satiric terms the many changes made in California education during the period 1960 to 1964—only one of which was the Fisher Act; the editorial writer minced few words in highlighting the role of the professionals in the decision-making process:

School administrators farther east often turn an envious eye on opulent California, which year after year entices some of their best teachers to go west. Eastern school men say they like to catch up.

But catching up right now might be like a dog catching a car. California's schools are in trouble...

Some say the state is in the pains of an educational rebirth. Others suggest it is in the rigor of impending mortis. Neither is a good hypothesis. But there is little doubt about one thing: Non-educators with decision-making authority have made decisions for California schools without understanding the consequences of their acts (“California” 1965, 209-210).

Despite the hue and cry, the Board did make a significant number of changes in implementing the 1963 regulations during the period May, 1963 to June, 1965. It granted

requests to issue provisional credentials with requirements postponed for specific individuals under specific conditions. It began making time modifications. It created significant new categories of teaching credentials to respond to National changes and anticipated pressures.

The Board has made provisions for meeting the increased need for teachers of industrial arts and vocational, trade and technical subject by establishing a designated subjects teaching credential with a specialization in these subjects. The need for more teachers of the vocational subjects in grades nine through twelve was created as a result of the increased emphasis in vocational programs reimbursed with federal funds (*California Education* [footnote 41a]).

The actual number of changes is subject to dispute and is actually irrelevant; in the long view, each may have been a minor change when considered in isolation. Board members were genuinely confused by the awesome specificity of the regulations and the constant and conflicting requests for special dispensations made at each meeting, including specific applications for “provisional credentials.” Based on their views, two significant categories of requests “unraveled” the regulations during the period 1963-1965:

1. Requests in the form of postponement of requirements for given individuals in given localities (at no time was made a statewide postponement of effective dates made).
2. Requests in the form of general authorizations to include certain special areas of teaching, which had been originally omitted—home economics, industrial arts, school nursing, and the like—into the standard credential patterns. (This change resulted in professionals prepared in these areas now escaping from “second class” status but, ironically, was the very kind of situation that the academic reformers had sought to eliminate.)

The Board felt constrained to make these changes for two major reasons:

1. Because of the extreme difficulty of defining what was “academic,” in terms of what a credential applicant offered as a major, and what was not “academic.”
2. Because of strong arguments from administrators, and sometimes local board members, that they simply could not find a sufficient number of teachers to fill their needs—both for classroom teachers and sometimes in special areas.

The complex issue of academic/non-academic distinction plagued the Board since 1960, because no one could set forth criteria for each subject pattern. If “academic” could not be discretely defined, then how could the credential patterns of some colleges be approved by the Board and others not, when it could be shown, and often was, that the specific courses taken toward a certain “non-academic” major were more “academic” than certain other “academic” majors? Physical education made a minor breakthrough in this regard when the Board, during the 1963-1965 period, approved the physical education major at the University of California Los Angeles because the program included many clearly academic courses in the biological sciences.

The other issue, which continually assaulted the Board’s desire to “hold the line” on stiffened credential requirements, was the uncertainty of whether the Fisher Act and the Board’s regulations had not, in fact, resulted in a serious reduction of new teachers available to the State’s continually growing schools. The Board was impressed and depressed at the evidence brought before it of the growing need for teachers, and at the widely publicized pronouncements by seemingly knowledgeable persons regarding the growing shortage of teachers. While statistical evidence supported the contention that teachers were suddenly becoming in short supply, the Board found suspect the sources and purveyors of this evidence; they were almost exclusively from the “establishment.”

The state board of education today was warned it may have to lower its teacher training standards to overcome a predicted shortage of elementary instructors in the next few years.

Board members, however, took a wait-and-see position. They asked for more extensive teacher-supply studies before proceeding to any sweeping change in credential requirements.

“The reason we're so sensitive about standards,” replied [Board Member] Norris, “is because we fought so long and hard to get something we're very proud of” (Rennert, December 9, 1965).

The Board had, essentially, held onto the basic thrust of the Fisher Act, despite what can be seen now as the incremental and steady erosion, described above, of the ostensibly firm set of rules and standards that had so laboriously been written and approved in 1963. In the years between the passage of the Fisher Act and the end of 1965, the Board had devoted countless hours to listening to testimony, reading reports, reading letters from innumerable persons—in short, being deluged with information and pressures regarding the implementation of the regulations which had been so controversial and yet significant as public policy. That it had held relatively firmly, despite the types and trends of the changes described above, seems to be borne out by the fact that some special interest groups began to seek another avenue to get what they wanted. The teacher credential issue again comes full circle, when the Legislature again turns its attention in 1965 to this hot political area.

### **Legislature Re-Enters the Arena**

The special interest group which considered itself most gored by the Fisher Act and the 1963 regulations was the California Association for Health, Physical Education and Recreation (CAHPER). An active, lusty organization for California's coaches and physical educators, its members had been one of the prime targets of Fisher's antipathy in 1960 and 1961. He openly derided school administrators who had been appointed from the “jock strap” contingent. CAHPER continued to chafe under the restrictions inherent

in the Fisher Act and sought means to gain relief. But mercy from the State Board was not forthcoming; for the Board presented an unyielding face toward physical education—except in the sole instance of approval of the PE major at UCLA. A past CAHPER president, also a veteran lobbyist in the legislative wars, spoke bluntly: “We have given up as a group trying to work with the State Board. They won’t even talk with us. Of course, some individual members of CAHPER have some personal contact with certain members of the Board. But as a Board, we can’t get anywhere with them” (Rennert, December 9, 1965). Then he added significantly: “We are concentrating our efforts upon the Legislature to get them [*sic.*] to change the law regarding physical education as a major subject.”

In 1965 the legislature made two drastic efforts to revise the Fisher Act: a first term Assembly Member introduced a bill to eliminate the “academic” and “non-academic” language of the Fisher Act; and a veteran Senator introduced a bill to significantly change the subject matter requirements for elementary teaching. These two actions became the ignition points for the thoroughly political fracas which followed.

In February, 1965, Assembly Member George Milias, a Republican from Gilroy, introduced AB 1275. Milias’s position here is quite intriguing: his party affiliation was opposite to that of Fisher and the party in power; he was barely dry behind the ears as legislators go—first elected in November 1962—and he numbered among his constituents members of the faculty at (then) San Jose State College, long a teacher preparation institution and physical education stronghold. As with most bills of any consequence, the period between its actual introduction and final outcome is many weeks, more commonly three or four months. During this process Milias issued a newsletter to his constituents, telling them of his plans.

I have recently introduced AB 1275, intended to remove the controversial academic/non-academic labels for credentialed positions. This measure is the first of a series of bills designed to correct many of the hastily conceived and since proven faulty Education Code changes sponsored by

Senator Hugo Fisher in his SB 57, passed during the 1961 Session (Miliias newsletter, March 1965).

He viewed his efforts less as politically partisan than as a rebuff to Fisher, revealing an interesting sidelight on the larger the political scene:

While it's mostly Republicans—and a few Democrats—who have been voting for changes or the abolition of the Fisher Act, it's not a partisan issue, exactly. Rather, it's a slap at Hugo Fisher. He's in hot water with the Legislature and there are a few strong votes against him any time a bill comes up to change his Act. He has picked up many of these because of the huge pyramid for which he is responsible (Miliias interview 1966).<sup>3</sup>

As might be expected, while on the legislative assembly line, the Miliias bill picked up both strong support and heated opposition. At the drop of a hat Rafferty, since his election in 1962 an outspoken opponent of the State Board, voiced immediate support for AB 1275.<sup>4</sup> His action soon brought him under fire from a variety of high-placed sources, when he appeared as a witness before the committee:

Rafferty said he would abolish the academic requirement in favor of a new regulation permitting potential teachers to major in any subject taught in the public schools.

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Miliias was referring to the fact that at the time of this conversation, Hugo Fisher had been appointed by Governor Brown to be one of the State's "super" administrators, as Administrator of the State Resources Agency a giant "pyramid" of state agencies whose decisions and actions were often in conflict with the interests of many constituents of many legislators.

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It was an intriguing about-face for Rafferty, who had campaigned on and been elected almost exclusively because of his demand for more academic emphasis in the schools.

Rafferty said that his position now was considerably different from the one he took in his first book, Suffer Little Children. There, he wrote that “America’s survival depends upon the students of chemistry and calculus and languages, rather than upon the worthy patrons of upholstery, and badminton and second-year table setting . . . in the hierarchy of subject matter there are giants and there are dwarfs.”

He said that world conditions had changed since [the time of writing that book]... “Under pressures of the cold war we had to set [subject matter] priorities. But we are not in the position today of having to make that choice,” he said (*Sacramento Union*, February 24, 1965).

To no one’s surprise, Braden leaped into the fray:

Thomas W. Braden...said today the Legislature would “betray” hard won reforms enacted after Sputnik by accepting Dr. Max Rafferty’s suggestion to ease academic requirements in teacher training programs. “Any emasculation of the basic education requirement would be a betrayal of the victory for excellence in education which the people of California won four years ago” (*Sacramento Bee*, February 24, 1965).

A small town editor (the *Redding Record-Searchlight* ) observing the scene was bemused by this facet of the issue and observed perceptively:

Few things are so certain these days as that Dr. Max Rafferty and Tom Braden will find another area for debate...

Rafferty... supports a proposed amendment to the Fisher Act which would make persons majoring in these “non-academic” subjects eligible for both teacher and administrator credentials [because] their exclusion creates a “second class” citizenry in the teaching ranks.

Ponderosa

Rafferty, it seems to us, is looking at the question from the wrong end of the barrel. The Fisher Act was passed to raise the intellectual level of public education (*Redding*, February 24, 1965).

Even Governor Brown entered the debate, again making his position quite clear:

Brown quoted from Rafferty's book Suffer Little Children in which he said, "when we promulgated the idea that basket weaving and physics were equal in importance to the average pupil, we were being worse than irresponsible."

The governor said, "I think this a good statement and I agree with it. Now Dr. Rafferty seems to want to return to the good old days and I would oppose that (*Sacramento Bee*, 25 February 1965).

Rafferty responded quickly and sharply to the Governor's attack. The *Sacramento Union* reported the sharp clash at some length, saying in part:

Dr. Max Rafferty leaped into the legislative thicket Monday to defend his education budget and deliver an angry attack upon Gov. Edmund G. Brown.

Rafferty said that no one can define "academic" and "nonacademic" and, that, furthermore, pressures of the cold war have relaxed enough to end the need for such distinctions.

Rafferty accused Brown of having taken "snips and pieces" from his writings and of having ignored Rafferty's second book, What They Are Doing to Your Children (Union, March 2, 1965).



The *Bee* reported the same clash:

“Since the governor saw fit to act as a book reviewer last week, Rafferty added, ‘I thought it only fair to do the same for him, but I couldn’t find a single book he has written’” (*Sacramento Bee*, 2 March 1965).

As a well-worn theme, the political battle lines again were drawn sharply, although the players were not totally consistent with the recent past. For example, the CTA, which had played a rather circumspect role in not overtly opposing the Fisher Act, despite many appearances to the contrary, and had, as a matter of fact, supported it after certain amendments made in 1961, supported AB 1275. The industrial arts and home economics people quite naturally supported it, as did CAHPER, the statewide administrator organizations, and others of like positions. On the other side, merely three individuals appeared at the May 13 hearing to oppose the bill: Donald Kitch of the State Department; Bill Plosser, CFT lobbyist; and Glen Harrington, CSBA. None of these individuals’ positions was genuinely surprising, even that of Kitch, who was, after all, a subordinate of Rafferty who openly supported AB 1275. However, Kitch was in a peculiar position, for he was required to speak for the State Board in vigorously opposing the bill, not for his boss Rafferty. Plosser represented a consistent CFT view, while Harrington echoed the stand of the sometimes conservative CSBA.

Upon close of the testimony, the committee voted 11 to 4 for a “do pass” recommendation, sending the measure to the Assembly floor. The most formidable hurdle had been overcome, and the Assembly in short order approved AB 1275, making it appear as if a surprising and major victory had been scored by the indefatigable foes of the Fisher Act's main thrust.

This sudden development alarmed at least two of the major and several minor newspapers of the State, prompting several to speak forcibly to the public and the Legislature. The *Sacramento Bee* on May 30, 1965 ran a feature article on its editorial page written by the paper’s political analyst—rather than by its education writer—

explaining the political importance of the issue at hand. Then, the next day the *Bee* hit hard again on the same theme:

The California Assembly's action in approving, 47 to 22, legislation to free certificated administrators and supervisors in the schools from having to have majors in academic subjects as a condition for administrative offices, is a shocking disregard of both the interest of public education and 1961 assembly reforms (*Sacramento Bee*, 30 May 1965).

The *Bee* was able breathe more easily nine days later, however, when the Senate Education Committee killed AB 1275, an action reported also in by the *Los Angeles Times*, which had been aware of the situation. The *Times* expressed its concern and relief about the Senate's actions in words which set the issue into a larger political and historical context:

Credential reforms voted by the 1961 Legislature, and implemented by regulations promulgated in 1963 by the State Board of Education, have been hailed as the greatest single step California has ever taken toward assuring quality education.

It is disconcerting, therefore, to note the almost reckless abandon with which the Assembly has moved this year to knock out major items in that meritorious program.

The Senate Education Committee acted wisely in killing the measure relaxing requirements for school administrators. It should promptly administer the same fate to this latest attack on the reform program, thus serving notice on the Assembly that playing fast and loose with important and controversial measures will not be tolerated (*Los Angeles Times*, 13 June 1965).

Milias and his “revisionist” supporters, then, were defeated. But in a newsletter to his constituents shortly after, his enthusiasm was not dampened:

I carried a number of bills, not all of which were successful, which would have taken steps towards the solution of our current teacher shortage. These were known as amendments to the notorious Fisher Act. The existing Fisher Act sets up peculiar and ridiculous requirements for the obtaining of teaching credentials that thousands of individuals are discouraged from entering the teaching profession. The Act is incompatible with the great need for additional teachers in California, and I plan to reintroduce this legislation the next session (Milias newsletter, July 1965).

However, Milias’s optimism was not in line with an analysis by Michael Manley, an extremely able and usually knowledgeable committee consultant.

It was a fluke that AB 1275 got out of the Assembly. In the last minute press of business, a few persons, including my boss [a powerful and outspoken Assembly Member] were not there, and someone voted for him. It got out by only a few votes—by chance. It was promptly killed by the Senate (Manley interview 1966).

### **A Major Change Enacted**

Then an intriguing political paradox occurred. Where an Assembly measure, designed to alter or weaken the Fisher Act and the State Board’s resolute stand, was defeated, a bill introduced in the Senate, designed to accomplish a similar general effect—fundamentally to alter the Fisher Act—went on to pass quite handily.

SB 908, authored by Rodda, himself a college teacher in former times,<sup>5</sup> suffered no such controversy and active opposition as had AB 1275. Rodda's bill was introduced in the Senate concurrently to AB 1275's consideration in the Assembly; the two bills passed in the night during May 1965, when the Milias bill was sent to the Senate, where it met its Waterloo. Meanwhile, SB 908, successful in the Senate, went over to the Assembly, where it met little opposition in the Assembly Education Committee. The bill was voted out of the committee easily, and in slightly more than a week—on June 18—it was passed by the Assembly and was signed into law on July 17, 1965.

In reality, SB 908 was not a broad-based attack on the Fisher Act; its aim was to relieve the rigorous and, it was argued, untenable situation wherein an elementary school teacher was required by the Fisher Act to have an academic major and minor yet, also by law, was required to teach a distinct variety of subjects in the public schools. Rodda's bill contained two highly important provisions: one eliminated a requirement of a single academic minor for elementary school teachers, and the other established a "diversified major," allowing elementary school teachers to broaden their education rather than being restricted to a single academic subject. Both provisions were developed almost exclusively to correct what had been felt to be a principal deficiency of the Fisher Act<sup>6</sup>

Rodda's bill had almost no opposition whatever; it had no opposition from several highly salient sources, conspicuous by their absence—the *Sacramento Bee*, the Governor, Fisher, and even the State Board. Several factors were important in this process. One was that Rodda as a Democrat was a member of the party in power, which held the edge in both houses of the Legislature and held the Governor's chair. But more importantly, he had become a veteran legislator—elected in 1958—and was respected by many of his

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<sup>5</sup>  
Senator Rodda had been, in fact, a junior college teacher of history and a member of the California Federation of Teachers before his election to the Legislature.

<sup>6</sup>  
Fisher had, in fact, included such a major in his law, hence this bill was not a genuine attack of the main thrust of Fisher, for Senator Rodda also held feelings favoring the academic preparation of teachers. SB 908 sought to do nothing to re-instate education as a major, nor to genuinely weaken the subject matter emphasis required of both elementary and secondary teachers. The bill, in fact, made that clear in these words:

In promulgating any additional requirements the State Board is hereby directed to emphasize academic and subject preparation, professional preparation, and student teaching or its equivalent in teaching experience (SB 908, section 3e).  
This language is identical to that found in the Fisher Act.

colleagues for his sincerity, honesty and, quite significantly, because he was an educator. (Lowery footnote) Rodda could not, of course, be considered a member of the “educational establishment” but from past performance and predilection, he indicated no desire to have California return to “soft pedagogy.” Since the early 1960s he had been intensely concerned about the alarming shortage of elementary school teachers that was being demonstrated to him statistically and in other ways. A fellow Senator, in analyzing the fate of legislation dealing with education, described Rodda’s influence: “There are few—only two—men in the Senate who are educators. [Another Senator] is a real rightist and, therefore, is not listened to much when it comes to education. Senator Rodda has been a main source—he has been the big man to turn to.” (footnote 68) The *Sacramento Bee*, notably, had always been a strong supporter of Senator Rodda<sup>7</sup> and of then-Governor Brown.

Rodda had much positive support for his bill: most of the major professional organizations, the CSBA, the State Superintendent and the Los Angeles Unified School District, to name a few. CAHPER did not support or oppose his bill.

The State Board, on the other hand, was in an ironic position: it had not been a passive observer with any legislation attempting to threaten the Board’s academic standards for teachers and administrators. Indeed, it had vigorously opposed the Milias bills, as had Rodda. Moreover, by 1965 the Board had become quite concerned about the supply of elementary teachers. It was, then, receptive to legislation which would alleviate the situation to some degree but in a carefully defined way. Several members claimed the Board initiated action that would lead Rodda to introduce this bill. Rodda viewed it otherwise:

During the writing of the regulations by the Board, I expressed concern about the preparation required for elementary teachers and I was in touch with Bill Norris. However, the regulations were written. Later, I resumed

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The *Sacramento Bee*, a Democratic paper, had also a member of the Rodda family as its political analyst.

the dialogue; I went to Norris and initiated the concern. The ensuing dialogue was amicable disagreement (Rodda interview 1966).

It seems quite clear that both the Board and the Senator were of one mind regarding the requirement for an academic minor for elementary school teachers—it was too restrictive. Then, too, the time was ripe; the Senator and specific Board members who had made the credential issue their key concern formed an alliance. The Board favored the bill which would eliminate the “minor” requirement; the Senator would carry it. The honeymoon was of short duration, however, for the SB 908 also established provisions for a diversified major for elementary school teachers—something not anticipated and not to the liking of the key Board members. They were disappointed about the turn of events and criticized Rodda for adding the diversified major to the issue. Norris described the Board activists’ thinking, at the same time showing a keen knowledge of the realities of the academic process:

We wanted two things: (1) to give the colleges a chance to develop experimental teacher training programs; and (2) to get rid of the minor requirement in the Fisher Act. Senator Rodda, at the same time, was interested in getting the diversified major implemented. He took our part and carried it, but also insisted on getting the diversified major enacted—despite our objections. The trouble with the diversified major is that it’s a hodge-podge; it doesn’t give any background, or theme, for a person to tie to and go on to a master’s degree or advanced work. (Norris interview 1967)<sup>8</sup>

Despite early and extensive communications between the Board and the Senator prior to introduction of his bill, and with an apparent agreement developing, an unmistakable rift, even if amicable, occurred. The Board

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The Fisher Act had provided for a “diversified major,” but the State Board had never come with the necessary implementation regulations. Both Rodda and these three Board members vehemently blamed the colleges for the lack of implementation of the major as set forth in the Fisher Act, ascribing it to “foot dragging” by the education departments.

almost, in fact, opposed SB 908; in the end it did not, and the “Rodda Bill” stood as the most important piece of legislation affecting teacher preparation and credentialing during the period 1961 to 1966.

The State Board had been bitterly criticized for allowing so many changes to be made in the implementation regulations—even if they had been minor in terms of effect—over the period 1963 to 1965. Ironically and perhaps unreasonably, some of the strongest criticism had emanated from what would seem to be an unlikely source—the state colleges, which had sought time and again to “soften up” the Board’s stand on the regulations. The Board members, indeed, considered themselves in a “damned if we do, damned if we don’t” position.

Yet, too, the colleges were placed in an extremely difficult position, as were school administrators looking to hire additional teachers. James Stone, one of the most knowledgeable persons in California teacher education at the time, analyzed the problem in not overly sympathetic words shortly after the passage of SB 908:

Regardless of the cause—and doubtless there are many indigenous to the college faculties’ resentment over the Fisher Act dictating college curricula—the panic button had been pushed.

Imagine the problem of the school district personnel officer recruiting out-of-state teachers. Imagine the predicament of a college counselor trying to help a student who wishes to teach, when the requirements change each semester. On the one hand is a carefully cultivated image of the highest academic standards which often dampens the enthusiasm of possible California migrants prepared in four-year programs. On the other hand there is a series of escape hatches too numerous to be conversant with, while new ones are continually being added (Stone 1966, 20).

Many colleges felt it necessary to include caveats when setting forth the teaching credential requirements in printed catalogs, warning students that changes were being made at the state level and that mimeographed information would be available when the latest policy had been firmed up.

The vigorous hostility toward the State Board from some college people—and a sense of the sharp contradictions perceived by the key parties in the issue—can be seen by these words of William G. Sweeney, who had appeared, many times before the Board or legislative committees to urge revisions in the law or the regulations:

The objective of the [Fisher Act] to strengthen the academic background of teachers was, I am sure, applauded by all segments of the profession. But the prostitution of this ideal in the attempted implementation of the law during the ensuing five years has been nothing less than a travesty. The State Board of Education seems passionately devoted to a crusade designed to determine if the colleges are circumventing the law or the *intent* of the law. The colleges are just as passionately devoted to implementing the bill without circumvention.

Meanwhile, the State Colleges report decreases in enrollment of persons entering elementary teaching of from 35 to 50 percent (Sweeney 1965, 39; 52).

By 1965, then, the Fisher Act was in dissarray—a disarray caused by two conflicting yet noble efforts: the desire to raise standards, particularly academic standards, for teachers and administrators; and the desire to be responsive to schools as well as colleges. But the Board's decision to wrest control from the profession and craft its own regulations for implementing the new credential structure delayed the distribution of regulations; teacher educators were angered at the extremely limited transition period in which to convert undergraduate education course work into graduate professional studies and to advise students appropriately. Without incorporating the State Department's licensing expertise,



the Board's regulations contained major technical difficulties and lay it open to continuing requests for exception. These monthly changes in regulations, as the Board attempted to clarify academic and non-academic majors and to respond to a growing teacher shortage, angered—but for different reasons—the very profession it sought to transform and the public who viewed all changes as undermining Fisher's intentions. Despite this confusion and except for Rodda's SB 908, the legislature remained quiet on the credentialing front. It awaited the ambition of an activist legislator.

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